



[11443/160]

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s) : Michael P. Whitman et al.
Serial No. : 10/785,672
Filed : February 23, 2004
For : SURGICAL CUTTING AND STAPLING DEVICE
Examiner : Gloria R. Weeks
Art Unit : 3721
Confirmation No. : 2683

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

Date: June 21, 2007

By: Clifford A. Ulrich
Clifford A. Ulrich, (Reg. No. 42,194)

TRANSMITTAL

S I R:

Transmitted herewith for filing in the above-identified patent application, is a response to the Notice of Non-Compliant Amendment Under 37 C.F.R. 1.121 dated May 21, 2007.

The Notice of Non-Compliant Amendment set a one-month period of time for responding. The period of time for responding expires on June 21, 2007. Accordingly, this response is timely.

Applicants believe that not fees are due. However, if any fees are due, the Commissioner is authorized as appropriate and/or necessary to charge any such fees, or credit any overpayment in connection with this paper to **Kenyon & Kenyon LLP's** deposit Account No. **11-0600**. A copy of this sheet is enclosed for charging purposes.

Respectfully submitted,

KENYON & KENYON LLP

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Dated: June 21, 2007



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AMENDMENT

S I R:

In response to the Office Action dated February 1, 2007 and to the Notice of Non-Compliant Amendment (37 C.F.R. 1.121) dated May 21, 2007, please amend the above-captioned application without prejudice as follows:

Amendments to the Claims are reflected in the listing of claims, which begins on page 2 of this paper.

Remarks begin on page 4 of this paper.